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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/600,083	09/13/2000	Timo Kauhanen	PM 271467	6680

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EXAMINER
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NGUYEN, HUY D

ART UNIT	PAPER NUMBER
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2681

DATE MAILED: 02/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/600,083	<b>Applicant(s)</b> KAUHANEN ET AL.	
	<b>Examiner</b> Huy D. Nguyen	<b>Art Unit</b> 2681	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 02 December 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 and 18-28 is/are rejected.
- 7) ☒ Claim(s) 17 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 9, 11-12, 18, 23, 26-28 are rejected under 35 U.S.C. 102(b) as being anticipated by Grube et al. (U.S. Patent No. 5,371,898).

Regarding claims 1, 9, 11-12, 18, 23, 26-27, Grube et al. teaches a method of controlling a multicall in a telecommunications system over a transmission path between a telecommunications network and a subscriber terminal, comprising:

setting up any new call in an existing multicall (see column 1, lines 62-64) over the transmission path between the telecommunications network (e.g., cellular systems) and the subscriber terminal, when a criterion is met (e.g., dialing, registering, authorizing, identifying,...), by setting up said new call on an existing bearer (e.g., channel) such that said existing bearer is shared by at least two calls of said multi calls of said subscriber terminal instead of by setting up said new call on a new bearer (see column 1, lines 62-64; Column 2, lines 4-5).

Regarding claim 28, Grube et al. teaches a subscriber terminal according to claim 27, wherein said terminal is a mobile station for a mobile communications system (see column 2, line 58).

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 2-6, 8, 10, 19-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Grube et al. in view of Fapojuwo (US 6,212,389 B1).

Regarding claims 2, 19, Grube et al. teaches the claimed invention except that the decision whether the new bearer is required or whether said existing bearer is to be used is made by the network. However, the preceding limitation is taught in Fapojuwo (see column 7, lines 59-64 ). It would have been obvious to one having ordinary skill in the art at the time of the invention to apply the teaching of Fapojuwo to the teaching of Grube et al. for efficient traffic channel management.

Regarding claims 3, 20, Grube et al. teaches the claimed invention except that the criterion is a preference of a user of the subscriber terminal. However, the preceding limitation is taught in Fapojuwo (see column 8, lines 16-19). It would have been obvious to one having ordinary skill in the art at the time of the invention to apply the teaching of Fapojuwo to the teaching of Grube et al. for efficient traffic channel management.

Claim 4 is the combination of claims 1 and 3. Therefore, claim 4 is rejected with the same reasons set forth in claims 1 and 3.

Regarding claims 5-6, Grube et al. teaches the claimed invention except indicating in a call setup signaling which existing bearer is to be used. However, the preceding limitation is

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taught in Fapojuwo (see column 7, lines 59-64). It would have been obvious to one having ordinary skill in the art at the time of the invention to apply the teaching of Fapojuwo to the teaching of Grube et al. for efficient traffic channel management.

Regarding claims 8, 10, Grube et al. teaches the claimed invention except changing a call currently being on a shared bearer to use a new dedicated bearer. However, the preceding limitation is taught in Fapojuwo (see column 8, lines 6-10). It would have been obvious to one having ordinary skill in the art at the time of the invention to apply the teaching of Fapojuwo to the teaching of Grube et al. for efficient traffic channel management.

Claim 21 is the combination of claims 18 and 20. Therefore, claim 21 is rejected with the same reasons set forth in claims 18 and 20.

5. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Grube et al. in view of Ho et al. (US 6,314,292 B1).

Regarding claim 7, Grube et al. teaches the claimed invention except allocating a dedicated bearer to the new call by a default by the network if a user does not indicate in the call setup any existing bearer to be used. However, the preceding limitation is taught in Ho et al. (see column 6, lines 48-58 ). It would have been obvious to one having ordinary skill in the art at the time of the invention to apply the teaching of Ho et al. to the teaching of Grube et al. to reduce the average time required for call setup.

6. Claims 13-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Grube et al. in view of Hoogerwerf et al. (U.S. Patent No. 5,819,171).

Regarding claims 13-14, Grube et al. teaches the method according to claim 12 except that the method further comprises step of alternating the calls on a shared bearer between an

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active mode and said hold mode by a user. However, the preceding limitation is taught in Hoogerwerf et al. (Col. 3, lines 19-39). It would have been obvious to one of ordinary skill in the art, at the time of the invention, to apply the teaching of Hoogerwerf et al. to the teaching of Grube et al. to provide flexibility for users.

7. Claims 15-16, 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Grube et al. in view of Tuulos (US 5,625,879).

Regarding claims 16, 25, Grube et al. teaches the claimed invention except offering a new subscriber-terminal-terminating call to a user by means of a call waiting supplementary service only when a maximum number of the bearers allowed has been used by the multicall. However, the preceding limitation is taught in Tuulos (see the abstract). It would have been obvious to one of ordinary skill in the art, at the time of the invention, to apply the teaching of Tuulos to the teaching of Grube et al. to improve system capacity.

Claim 15 is the combination of claim 1 and 16. Therefore, claim 15 is rejected with the same reasons set forth in claims 1 and 16.

8. Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over Grube et al. in view of Fapojuwo (US 6,212,389 B1) and in further view of Ho et al. (US 6,314,292 B1).

Claim 22 is the combination of claims 1, 5, and 7. Therefore, claim 22 is rejected with the same reasons set forth in claims 1, 5, and 7.

9. Claim 24 is rejected under 35 U.S.C. 103(a) as being unpatentable over Grube et al. in view of Ahvenainen (US 5,852,781).

Regarding claim 24, Grube et al. teaches the claimed invention except that the subscriber terminal is arranged to send to the network a call setup message for changing a call currently

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using a dedicated bearer to use another bearer shared with at least another call, said message containing a transaction identifier of said call having the dedicated bearer and a bearer ID indicating the shared bearer to be used, and the network is responsive to said call setup message for transferring the call indicated by the transaction identifier received to said existing bearer. However, the preceding limitation is taught in Ahvenainen (see column 1, lines 60-67). It would have been obvious to one of ordinary skill in the art, at the time of the invention, to apply the teaching of Ahvenainen to the teaching of Grube et al. for establishing group calls extending to service areas of a plurality of exchanges in a mobile radio system.

***Allowable Subject Matter***

10. Claim 17 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Regarding claim 17, the cited prior arts, either alone or in combination, fail to teach the method according to claim 1, wherein said telecommunications system comprises two telecommunications networks of different generations, the first one of the telecommunications networks supporting both shared bearers and dedicated bearers for a multicall, and the second one of the telecommunications networks supporting only the shared bearers for a multicall, and said method comprises an inter- network multicall handover comprising: putting calls of the multicall subjected to handover irrespective of whether (they) the calls have been in a dedicated bearer mode or a shared bearer mode, on a common shared bearer in said first network prior to

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the handover, and carrying out a handover of said multical on a shared bearer in said second telecommunications network.

***Contact Information***

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Huy D. Nguyen whose telephone number is 571-272-7845. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph H. Feild can be reached on 571-272-4090. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*HN*

Huy Nguyen

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